

U.S. PATENT & TRADEMARK OFFICE
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT & TRADEMARK OFFICE
DEC 12 2003
CIPR

In re application of : **ATTN: AF**
Tadashi FUJII et al. : Confirmation No. 1705
Serial No. 09/762,230 : Docket No. 2001-0116A
Filed February 5, 2001 : Group Art Unit 1652
GENE PARTICIPATING IN THE
PRODUCTION OF HOMOGLUTAMIC : Examiner Christian L. Fronda
ACID AND ITS USE

NOTICE OF APPEAL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED
TO CHARGE ANY DEFICIENCY IN THE
FEES FOR THIS PAPER TO DEPOSIT
ACCOUNT NO. 23-0975

Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated June 12, 2003 of the Primary Examiner finally rejecting claims.

A timely response to the final rejection has been filed.

The extension fee of \$950.00 for a 3-month extension of time is submitted with the attached Petition for Extension of Time.

The Appeal Fee of \$330.00 (other than Small Entity)
 \$165.00 (Small Entity)

is enclosed

is to be charged to Deposit Account No. 23-0975. The original and two copies of this sheet are enclosed.

Small entity status of this application is established by the verified statement under 37 CFR 1.9 and 1.27 which
 is enclosed.

RESPONSE UNDER 37. CFR 1.116

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() has been previously submitted.

() The Appeal Fee is not required since it was paid in a prior appeal.

Respectfully submitted,

Tadashi FUJII et al.

By Warren M. Cheek, Jr.
Warren M. Cheek, Jr.
Registration No. 33,367
Attorney for Applicants

WMC/JFW/nk
Washington, D.C. 20006-1021
Telephone (202) 721-8200
Facsimile (202) 721-8250
December 12, 2003